

**NO. 23-90013-B**

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**UNITED STATES COURT OF APPEALS  
FOR THE ELEVENTH CIRCUIT**

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**Gawain Baxter, et al.,**  
*Plaintiffs–Petitioners,*

v.

**David Miscavige, et al.,**  
*Defendants–Respondents.*

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On Petition for Review from the United States District Court  
for the Middle District of Florida  
Tampa Division  
Case No. 8:22-cv-986-TPB-JSS

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**NOTICE OF NON-PARTICIPATION OF DAVID MISCavige**

Manuel Juan Dominguez  
Fla. Bar No. 54798  
Theodore J. Leopold  
Fla. Bar. No. 705608  
Diana L. Martin  
Fla. Bar. No. 624489  
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Plaintiffs-Appellants, through undersigned counsel, file this notice to advise the Clerk of the non-participation of David Miscavige in this proceeding, as set forth below:

1. This matter is before the Court on Plaintiffs' Petition for Interlocutory Appeal under 28 U.S.C. § 1292(b).

2. On July 21, 2023, the Clerk entered a Notice of Certificate of Interested Persons (CIP) Deficiency to counsel for David Miscavige for failing "to complete the Web-Based CIP on the Court's website [or filing] the standalone CIP." (Docket Entry 37). Counsel for Mr. Miscavige have not filed notices of appearance in this petition.

3. Counsel for Plaintiffs-Appellants, Manuel Juan Dominguez, has conferred with William Schifino, counsel for David Miscavige, by e-mail and telephone regarding the Deficiency Notice and has been advised Mr. Miscavige objects to the filing of this Notice because Mr. Miscavige is not a party before the Court, the Deficiency Notice was issued by the clerk in error, and the Clerk has indicated to Mr. Miscavige's counsel that no filing is necessary to correct this error. Nevertheless, Plaintiffs-Appellants deem it prudent to file this Notice in an effort to make it clear on the docket that Mr. Miscavige will not be participating in this proceeding and will not, therefore, be filing a Certificate of Interested Persons in response to the Deficiency Notice.

4. The only parties participating in this proceeding, therefore, are Plaintiffs-Appellants Gawain Baxter, Laura Baxter, and Valeska Paris, and Defendants-Respondents Church of Scientology International, Inc.; Religious Technology Center, Inc.; Church of Scientology Flag Service Organization, Inc.; Church of Scientology Flag Ship Service Organization, Inc.; and IAS Administrations, Inc., all of whom have had counsel appear on their behalf and have filed their standalone and web-based Certificates of Interested Persons.

Dated: August 11, 2023

Respectfully submitted,

/s/ Manuel Juan Dominguez

Manuel Juan Dominguez

Fla. Bar No. 54798

Theodore J. Leopold

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*Counsel for Plaintiffs-Petitioners*

### **CERTIFICATE OF SERVICE**

I hereby certify that on August 11, 2023, I electronically filed the foregoing with the Clerk of the Court for the United States Court of Appeals for the Eleventh Circuit by using the CM/ECF system and that the foregoing document is being served this day on all counsel of record via transmission of the Notice of Electronic Filing generated by CM/ECF.

By: /s/ Manuel Juan Dominguez  
Manuel Juan Dominguez